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DATE: January 13, 2006

PTO IDENTIFIER: Application Number 10/823,578-Conf. #5022
Patent Number

Inventor: Huang-Chen GUO et al.

MESSAGE TO: US Patent and Trademark Office

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FROM: BIRCH, STEWART, KOLASCH & BIRCH, LLP

Joe McKinney Muncy

PHONE: (703) 205-8026

Attorney Dkt. #: 3313-1156PUS1

PAGES (Including Cover Sheet): 8

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Certificate of Transmission (1 page)
Amendment Transmittal (1 page)
Response to Final Action Under 37 C.F.R. 1.116 (5 pages)

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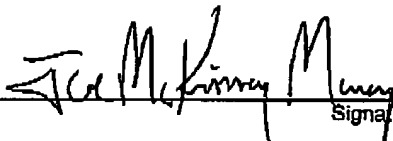
Application No. (if known): 10/823,578

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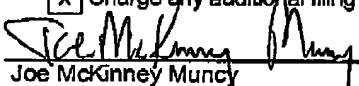
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JAN 13 2006

MS AF
REPLY UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP

AMENDMENT TRANSMITTAL LETTER			Docket No. 3313-1156PUS1																																				
Application No. 10/823,578-Conf. #5022	Filing Date April 14, 2004	Examiner R. S. Peace	Art Unit 2874																																				
Applicant(s): Huang-Chen GUO et al.																																							
Invention: ADJUSTABLE OPTICAL ATTENUATOR USING S-TYPE WAVE-GUIDE AND METHOD THEREOF																																							
<p>MS AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p> <p>Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="5" style="text-align: center;">CLAIMS AS AMENDED</th> </tr> <tr> <th></th> <th style="text-align: center;">Claims Remaining After Amendment</th> <th style="text-align: center;">Highest Number Previously Paid</th> <th style="text-align: center;">Number Extra Claims Present</th> <th style="text-align: center;">Rate</th> </tr> <tr> <td>Total Claims</td> <td style="text-align: center;">13</td> <td style="text-align: center;">- 20 =</td> <td></td> <td style="text-align: center;">x</td> </tr> <tr> <td>Independent Claims</td> <td style="text-align: center;">2</td> <td style="text-align: center;">- 3 =</td> <td></td> <td style="text-align: center;">x</td> </tr> <tr> <td colspan="5">Multiple Dependent Claims (check if applicable) <input type="checkbox"/></td> </tr> <tr> <td colspan="5">Other fee (please specify):</td> </tr> <tr> <td colspan="4">TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</td> <td style="text-align: center;">0.00</td> </tr> </table> <p><input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity</p> <p><input checked="" type="checkbox"/> No additional fee is required for this amendment.</p> <p><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed.</p> <p><input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>02-2448</u> as described below. A duplicate copy of this sheet is enclosed.</p> <p><input checked="" type="checkbox"/> Credit any overpayment.</p> <p><input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.</p> <p> Joe McKinney Muncy Attorney Reg. No.: 32,334</p> <p>Dated: <u>January 13, 2006</u></p> <p>BIRCH, STEWART, KOLASCH & BIRCH, LLP 8110 Gatehouse Road Suite 100 East P.O. Box 747 Falls Church, Virginia 22040-0747 (703) 205-8026</p>					CLAIMS AS AMENDED						Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	Total Claims	13	- 20 =		x	Independent Claims	2	- 3 =		x	Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					Other fee (please specify):					TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:				0.00
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Huang-Chen GUO et al.

Application No.: 10/823,578

Confirmation No.: 5022

Filed: April 14, 2004

Art Unit: 2874

For: ADJUSTABLE OPTICAL ATTENUATOR
USING S-TYPE WAVE-GUIDE AND
METHOD THEREOF

Examiner: R. S. Peace

RESPONSE TO FINAL ACTION UNDER 37 C.F.R. 1.116

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INTRODUCTORY COMMENTS

In reply to the Office Action dated October 13, 2005, the following remarks are respectfully submitted in connection with the above-identified application.

Birch, Stewart, Kolisch & Birch, LLP

KM/asc